

REMARKS

The present amendment is submitted in response to the Office Action entered on October 17, 2006. A two month petition for extension of time is included herein extending the deadline for submitting a response to March 19, 2007 (the first business day following March 17, 2007). The Examiner rejected claims 1, 3, 5, and 7 as obvious in view of U.S. Patent No. 5,054,077 issued to Suzuki (Suzuki) in combination with U.S. Publication No. 2002/0136419 issued to Santos (Santos). Claims 2, 4, 6, and 8 were rejected as obvious in view of Suzuki, Santos and U.S. Patent No. 6,985,595 issued to Kohyama et al. (Kohyama). Claims 1, 2, 4, 6, and 8 are hereby cancelled without prejudice. Claims 3, 5, and 7 are hereby amended. New claims 9-11 are added. Reconsideration and reexamination in view of the amendments and arguments submitted herein is respectfully requested.

Independent claims 3, 5, and 7 were amended to include the recitations of claims 4, 6, and 8 respectively. Furthermore, the claims were amended to recite that the level control section "performs control to actually move a respective position" of various operators.

Suzuki discloses a fader device which includes a plurality of operators and provides that the operators may be controlled in group operation mode. In group operation mode, when one operator of a group of operators is moved in a direction, all other operators of the group are automatically moved in the same direction. However, as the Examiner himself states, Suzuki does not disclose "a grouping section that individually sets each of operators ... to a forward or inverse operational direction", nor does it disclose "a level control section that, ... performs control to actually move a respective position of each of other said operator in the one group, set to a same operational direction as the operated operator, in a same direction ..., and performs control to actually move a respective position of each of other said operator in the one group, set to an opposite operational direction from the operated operator, in an opposite direction" (see page 2 of Examiner's Action).

The Examiner contends that Santos discloses the above features. Santos discloses a DJ mixer system in which several operators are used. However, Santos does not teach the actual or

physical movement of operators, as recited by claim 3. The Examiner refers to Santos' teaching of "fader reverse switches." The fader reverse switches of Santos signify the relation between fader direction and volume control. In other words, the fader reverse switches signify whether moving the fader up (for example) would cause an increase or decrease of the volume. The fader reverse switches are not connected in any way with the movement of operators. Therefore, Santos does not disclose "a level control section that ... performs control to actually move a respective position of each of other said operator ..." and, consequently, cannot cure the defects of Suzuki. That is, the reverse switch in Santos does not reverse the direction in which the first operator actually or physically moves.

Additionally, Santos also fails to make up for the deficiencies related to the recited inverse operation. Claim 3 recites that the forward and inverse operational directions are such that "a level control section that, ... performs control to actually move a respective position of each of other said operator in the one group, set to a same operational direction as the operated operator, in a same direction ..., and performs control to actually move a respective position of each of other said operator in the one group, set to an opposite operational direction from the operated operator, in an opposite direction." Santos does not disclose that when any one of the operators is operated in a particular direction, other operators may be moved in the opposite direction. The fader reverse switches of Santos do not affect the movement of their associated faders at all, as their associated faders do not move automatically to begin with.

Moreover, as Santos does not mention automatic movement of faders there is no suggestion or motivation to combine Santos with Suzuki to modify Suzuki's scheme of automatic fader movement. In other words, if an operator of Suzuki were to be automatically moved forward before the teachings of Santos were applied, it will still be automatically moved forward after the teachings of Santos are applied. Of course, the reverse switch of Santos may cause the automatic movement of the operator forward to have a reverse effect (i.e., decrease the volume instead of increasing it). However, this feature, even if present, is not actually reflective of any of the recitations of independent claim 3, as this claim refers to the direction in which the actual operators are moved and not to the resulting effect on volume.

Since applying Santos will not change the automatic operator movement features of Suzuki, the combination of Suzuki and Santos does not disclose: "a level control section that, ... performs control to actually move a respective position of each of other said operator in the one group, set to a same operational direction as the operated operator, in a same direction ..., and performs control to actually move a respective position of each of other said operator in the one group, set to an opposite operational direction from the operated operator, in an opposite direction."

Kohyama does not cure the defects of Suzuki and Santos. Again, Kohyama does not disclose a system in which a level control section actually moves the positions of operators. Instead, Kohyama discloses using various visual indicators associated with the operators of a mixer. As Kohyama does not disclose a level control section that actually moves the operators, Kohyama does not disclose displaying the status of the operators vis-à-vis these movement features. More specifically, Kohyama does not disclose "a grouped state display section that displays respective grouped states of said operators grouped by said grouping section; and an operational direction display section that displays respective operational directions of said operators set via said grouping section" as recited by claim 3.

Claim 5 is patentable over the cited references for reasons similar to those discussed above in connection with claim 3. More specifically, claim 5 is patentable because Suzuki, Santos and Kohyama, taken alone or in combination do not disclose "a setting section that individually sets each of said plurality of operators to a forward or inverse operational direction" and "a level control section that, when said collective control operator is operated in a particular direction, performs control to actually move a respective position of each of said plurality of operators, set to the forward operational direction, in a same direction as the particular direction in which said collective control operator is operated, performs control to actually move a respective position of each of said plurality of operators, set to the inverse operational direction, in an opposite direction from the particular direction."

Claim 7 is also patentable over the cited references for reasons similar to those discussed above in connection with claim 3. More specifically, claim 7 is patentable because Suzuki, Santos and Kohyama, taken alone or in combination do not disclose "a setting section that ... individually

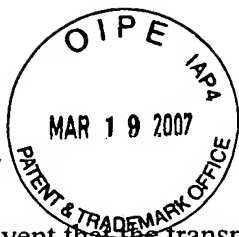
sets each of said at least two operators, assigned to said collective control operator, to a forward or inverse operational direction" and "a level control section that, when said collective control operator is operated in a particular direction, performs control to actually move a respective position of each of said at least two operators, assigned to said collective control operator and set to the forward operational direction, in a same direction as the particular direction in which said collective control operator is operated, and performs control to actually move a respective position of each of the operators, assigned to said collective control operator and set to the inverse operational direction, in an opposite direction from the particular direction."

Independent claims 3, 5 and 7 are patentable in view of the cited art for the above discussed reasons. New claims 9-11 are patentable because they depend from patentable claims 3, 5 and 7.

In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to pass this application to issue.

If, for any reason, the Examiner finds the application other than in condition for allowance, Applicants request that the Examiner contact the undersigned attorney at the Los Angeles telephone number (213) 892-5630 to discuss any steps necessary to place the application in condition for allowance.

Application No.: 10/617,106
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Docket No.: 393032039100

In the unlikely event that the transmittal letter is separated from this document and the Patent Office determines that an extension and/or other relief is required, Applicants petition for any required relief including extensions of time and authorizes the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to **Deposit Account No. 03-1952** referencing Docket No. 393032039100.

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Respectfully submitted,

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